

Appl. No. 10/004,432
Andt. dated September 2, 2005
Reply to Office action of May 11, 2005

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JGW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/004,432)
Applicants: Shau-Chi CHI) TC/A.U.: 1648
Filed: December 6, 2001) Examiner: Laurie A Scheiner
Title: AN IMMORTAL CELL LINE) Customer No.:
DERIVED FROM GROUper) *23639*
EPINEPHELUS COIOIDES AND ITS)
APPLICATIONS THEREIN)
Docket No.: SC7040694001)
(formerly 39734-176754))

PATENT TRADEMARK OFFICE

Honorable Commissioner for Patents
Alexandria, VA 22313
Mail Stop Non-Fee Amendment

AMENDMENT AFTER FINAL

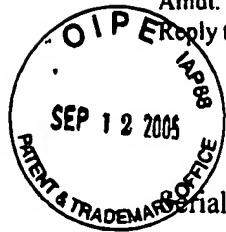
Sir:

In response to the final Office action of May 11, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

A one-month extension of time is requested and the Examiner is authorized to charge the same to deposit account number 50-2518 and notify the Applicants' attorney.



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/004,432)
Applicants: Shau-Chi CHI) TC/A.U.: 1648
Filed: December 6, 2001) Examiner: Shanon Foley
Title: AN IMMORTAL CELL LINE) Customer No.:
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SUPPLEMENTAL RESPONSE TO OFFICE ACTION AFTER FINAL

Subsequent to the filing of a Response after Final on September 2, 2005, Applicant requested a telephone interview with Examiner Scheiner, but to find out that she already left the PTO. Examiner Shanon Foley, who replaced Examiner Scheiner, graciously agreed to grant the interview on a short time notice. Applicant thanks Examiner Foley for the prompt assistance.

The interview took place on September 8, 2005, a constructive agreement was reached, in which Examiner Foley indicated that the case should be in condition for allowance should Applicant file a supplement response to further distinguish the claimed invention from Vakharia et al., U.S. 6,274,147. In light of Examiner Foley's constructive suggestions, Applicant hereby files this Supplemental Response as follows:

In the Office action dated May 11, 2004, claims 1, 3-5, 8, 10-14, 17 and 18 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,274,147 to Vakharia et al. (hereinafter “Vakharia”). Specifically, the Examiner argued that Vakharia et al. teach both live,

non-pathogenic infectious pancreatic necrosis virus (IPNV) vaccines and inactivated IPNV vaccines.

Applicant incorporates by reference her remarks and argument in the Response after Final filed on September 2, 2005.

Additionally, Applicant disagrees with the Examiner's argument that Vakharia et al. teach live, non-pathogenic IPNV vaccines and inactivated IPNV vaccines. However, Vakharia et al. do not disclose a regular live, non-pathogenic or inactivated IPNV. Rather, the patent disclosed a recombinant IPNV using IPNV genome segments A and B, and more specially, an NS protein deficient IPNV by modifying segment A of the genome to prevent the expression of NS protein. See, e.g., abstract and claims of Vakharia et al. Thus, Applicant's claimed invention is distinctively different from that described in Vakharia.

In view of the foregoing, the objection and rejections have been overcome and the claims are in condition for allowance, early notice of which is requested. Should the application not be passed for issuance, the examiner is requested to contact the applicant's attorney to resolve the problem.

Respectfully submitted,



Date: September 12, 2005

Fei-Fei Chao, Ph.D. (Reg. No. 43,538)
Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111-4067
Tel.: (202) 778-3179
Fax: (202)-778-6155